

October 4, 2013

Kevin M. Kennedy  
6049 Barton Rd  
North Olmsted, Ohio 44070

Ohio Elections Commission  
21 West Broad St., Suite 600  
Columbus, Ohio 43215

Re: Complaint alleging a violation of R.C. §3517.21 *Infiltration of campaign - false statements in campaign materials - election of candidate*

Complaint Filed against Thomas O'Grady, 6328 Hastings Drive  
North Olmsted, Ohio 44070.

Complaint Filed by Kevin M. Kennedy, 6049 Barton Rd., North Olmsted,  
Ohio 44070

Dear Elections Commission:

Enclosed please find for filing an original and one copy of an Affidavit and supporting document constituting a Complaint under Ohio Elections Law against Thomas O'Grady, a candidate for the Office of Mayor in the City of North Olmsted, Ohio. Please process the same in your normal fashion.

I have also enclosed a self-addressed stamped envelope for you to return to me a time stamped copy of the documents filed in this matter.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. M. Kennedy', with a stylized flourish extending from the end.

Kevin M. Kennedy  
Mayor of the City of North Olmsted, Ohio

Encl.

STATE OF OHIO                                 )  
  )  
COUNTY OF CUYAHOGA                    )       SS:   ***AFFIDAVIT***

Now comes Affiant Kevin M. Kennedy and after having been first duly sworn according to law, deposes and states as follows:

A. I am the current Mayor of the City of North Olmsted, Ohio and I make this affidavit upon my personal knowledge, information and belief.

B. The photograph attached hereto and incorporated herein as Exhibit A is an accurate reproduction of a photograph depicting a political sign currently being placed in yards by persons acting on behalf of Thomas O'Grady, a candidate for the office of mayor in the City of North Olmsted, Ohio. An election for that office will be held on November 5, 2013.

C. “Leadership for North Olmsted MAYOR THOMAS O’GRADY” is written on the sign currently being distributed. Besides a political disclaimer, there is no other text on the sign. Thomas O’Grady currently **is not** the mayor of the City of North Olmsted, Ohio or any other city.

D. Thomas O'Grady and I, the current mayor, are both seeking the office of mayor in the November election.

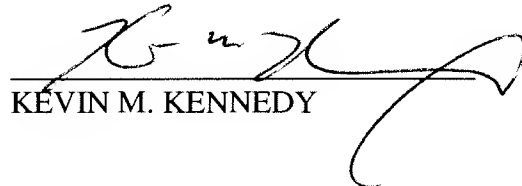
F. R.C. §3517.21 *Infiltration of campaign - false statements in campaign materials - election of candidate* provides as follows:

(B) No person, during the course of any campaign for nomination or election to public office or office of a political party, by means of campaign materials, including sample ballots, an advertisement on radio or television or in a newspaper or periodical, a public speech, press release, or otherwise, shall knowingly and with intent to affect the outcome of such campaign do any of the following:

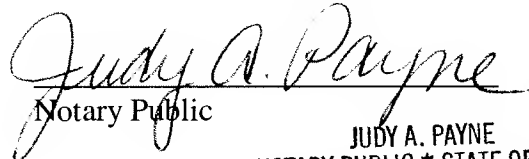
(1) Use the title of an office not currently held by a candidate in a manner that implies that the candidate does currently hold that office or use the term "re-elect" when the candidate has never been elected at a primary, general, or special election to the office for which he or she is a candidate;

G. The sign copy "Leadership for North Olmsted MAYOR THOMAS O'GRADY" is a violation of R.C. §3517.21 because it uses the title "Mayor" in a manner that implies that candidate Thomas O'Grady does currently hold the office of Mayor when, in fact, he does not.

***FURTHER AFFIANT SAYETH NAUGHT.***

  
KEVIN M. KENNEDY

Sworn to before me and subscribed in my presence at North Olmsted, Ohio, this  
4<sup>th</sup> day of October, 2013.

  
Notary Public

JUDY A. PAYNE  
NOTARY PUBLIC \* STATE OF OHIO  
MY COMMISSION EXPIRES 11-12-2013

Leadership for North Olmsted  
**MAYOR THOMAS  
O'GRADY**

Printed by Citizens for O'Grady's 8228 Highland Drive, North Olmsted, Ohio 44130